

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X	
NEW YORK ROAD RUNNERS, INC.,	:
	:
Plaintiff,	:
	:
-against-	:
	:
NEW YORK CITY RUNS, INC.,	:
	:
Defendant.	:
-----X	

Case No. 1:24-cv-01231-DG-JAM

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff New York Road Runners, Inc. and Defendant New York City Runs, Inc., by and through their undersigned counsel and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), that Plaintiff's complaint in the above captioned action is voluntarily dismissed, with prejudice and with each party bearing its respective attorney's fees and costs.

Dated: December 16, 2024

**FRANKFURT KURNIT KLEIN + SELZ, PC**

**DAY PITNEY LLP**

By: /s/ Kimberly Maynard  
Kimberly M. Maynard  
Molly G. Rothschild  
Jonathan M.K. Pryor  
28 Liberty Street, 35<sup>th</sup> Fl.  
New York, NY 10005  
(212) 980-0120  
kmaynard@fkks.com  
mrothschild@fkks.com  
jpryor@fkks.com

By: /s/ Richard Brown  
Richard H. Brown  
605 Third Avenue, 31<sup>st</sup> Floor  
New York, NY 10158  
(212) 297-5800  
rbrown@daypitney.com

*Attorneys for Defendant New York City Runs, Inc.*

*Attorneys for Plaintiff  
New York Road Runners, Inc.*

**SO ORDERED, \_\_\_\_\_ 2024**

\_\_\_\_\_  
Hon. Diane Gujarati  
United States District Court Judge